

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 21-CV-557

\$95,950.00 IN U.S. CURRENCY,

Defendant.

DECLARATION OF BRENDA E. VITERI

I, Brenda E. Viteri, declare:

1. I am a Senior Financial Investigator working for Professional Risk Management Inc. (PRM), a company that offers services related to financial and asset forfeiture investigations. I have worked with PRM since August 2019. During this time, I have worked for the Drug Enforcement Administration conducting financial and asset forfeiture investigations to identify and trace drug proceeds. Prior to PRM, I was employed with the Internal Revenue Service – Criminal Investigation Division from 1993 to 2019 as a Special Agent, a Supervisory Special Agent, and later, as the Assistant Special Agent in Charge. I am a graduate of the Federal Law Enforcement Training Center Criminal Investigator Training Program and the IRS Special Agent Basic Training. As a Special Agent, I conducted complex financial investigations with a focus on income tax violations and money laundering violations. I was assigned to the High Intensity Drug Trafficking Area group to work money laundering investigations focused specifically on drug violations. As a Supervisory Special Agent, I

supervised groups of Special Agents in income tax and money laundering investigations in program areas of organized crime, general income tax investigations and money laundering. As an Assistant Special Agent in Charge, I covered various regions in Illinois and Indiana and supervised approximately six groups of Special Agents involved in investigations that ranged from political corruption, organized crime, tax evasion and international money laundering. Throughout my career with the Internal Revenue Service - Criminal Investigation Division, I held a few other positions in the Chicago Field Office. Specifically, I became the Asset Forfeiture Coordinator of the field office in 2006. As the Asset Forfeiture Coordinator, I was responsible for identifying investigations that allowed forfeiture of assets obtained with ill-gotten proceeds. I was responsible for reviewing documents submitted by claimants throughout the forfeiture procedure.

2. Throughout my career, I have received professional training to conduct complex financial investigations, specifically, money laundering investigations geared toward identifying drug proceeds that have been placed in the financial system. I have also received training in conducting asset forfeiture in investigations that allow the seizure and forfeiture of illegal proceeds.

3. This declaration is based on an investigation conducted by me and other officers from DEA and the Wisconsin State Patrol. The facts described herein are based on my own personal knowledge, my training and experience, and knowledge obtained from other law enforcement officers both directly and through their reports. I believe my law enforcement colleagues because they have learned and communicated information in their official capacity.

4. This Declaration of Facts and Circumstances is submitted in support of a Verified Complaint of Forfeiture *in rem* and Warrant of Arrest *in rem*.

5. On June 7, 2021, Kimyatta Sims filed an administrative claim to the \$95,950.00 in United States currency with the DEA. This claim is filed under penalty of perjury. Attached to the claim filed by Sims are the following: a statement from Chime¹ dated March 1, 2021 through March 31, 2021, and a checking summary from JPMorgan Chase Bank, checking account number: 00000059017XXXX, dated January 28, 2021 through March 23, 2021.

6. On July 27, 2021, I reviewed the banking statements from JPMorgan Chase Bank, for checking account number: 00000059017XXXX, dated January 28, 2021 through March 23, 2021, as provided by Sims as part of her administrative claim.

7. On September 2, 2021, I reviewed documents which included, but not limited to, checking account summaries for checking account number: 00000059017XXXX for the months of November 26, 2021 through May 25, 2021, as provided by JPMorgan Chase Bank in response to a subpoena.

8. I noted several discrepancies between the account summaries provided by Sims and those account summaries obtained from JPMorgan Chase Bank (Bank) including but not limited to the following:

a. On the statements labeled as January 28, 2021 through February 24, 2021:

1. From Sims - Beginning balance of \$65,306.90
~~From Bank~~ - Beginning balance of \$27,571.49

¹ Based on my internet search and a review of Chime's website, it states that Chime is a "financial technology company, not a bank. Banking services and spending account provided by the Bankcorp Bank or Stride Bank N.A.: members FDIC"

2. From Sims – “Recurring Card Deposit” dated February 1, 2021, for \$4,000.00
From Bank – No deposit for \$4,000.00
3. From Sims – “Itria ven 16” deposit dated February 9, 2021, for \$10,000.00
From Bank – No deposit for \$10,000.00
4. From Sims – Withdrawal from teller dated February 10, 2021, of \$20,000.00
From Bank – No withdrawal dated February 10, 2021, of \$20,000.00
5. From Sims – Withdrawal from teller dated February 12, 2021, of \$10,000.00
From Bank – No withdrawal dated February 12, 2021, of \$10,000.00
6. From Sims – “Drive-Thru Withdrawl” dated February 19, 2021, of \$2,000.00
From Bank – No withdrawal dated February 19, 2021, of \$2,000.00

b. On statements labeled as February 25, 2021 through March 23, 2021:

1. From Sims – Beginning balance of \$46,665.49
From Bank – Beginning balance of \$23,863.26
2. From Sims – “Drive-Thru Withdrawl” dated March 1, 2021, of \$1,000.00
From Bank – No withdrawal dated March 1, 2021, of \$1,000.00
3. From Sims – “Withdrawl 02/25 Teller” dated March 1, 2021, of \$20,000.00
From Bank – No withdrawal dated March 1, 2021, of \$20,000.00
4. From Sims – “Recurring Card Deposit Payment” dated March 1, 2021, of \$4,000.00
From Bank – No deposit dated March 1, 2021, of \$4,000.00
5. From Sims – “Drive-Thru Withdrawl” dated March 4, 2021, of \$1,500.00
From Bank – No withdrawals dated March 4, 2021, of \$1,500.00
6. From Sims – Ending Balance of \$24,604.94
From Bank – Ending Balance of \$19,482.64

9. Based on my review of the banking records provided by Sims and the account summaries obtained from JPMorgan Chase Bank, I believe that the records submitted by Sims were purposely manipulated in order to justify the amount of money found in the vehicle.

VERIFICATION

10. I, Brenda E. Viteri, hereby verify and declare under penalty of perjury that I am a Senior Financial Investigator - Contractor for the DEA. I have read the foregoing Verified Complaint *in rem* and know the contents thereof. The matters contained in the Verified Complaint are true to my knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

11. The sources of my knowledge and information and the grounds of my belief are the official files, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Senior Financial Investigator - Contractor.

12. I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

09/03/21

Date

Brenda E. Viteri

BRENDA E. VITERI

Senior Financial Investigator - Contractor